

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: MONTCO OFFSHORE, INC., <i>et al.</i>,¹ Debtors.	§ § § § § §	Case No. 17-31646 Chapter 11 (Jointly Administered)
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NOTICE OF FILING OF PROPOSED ORDER REGARDING MEDIATION

PLEASE TAKE NOTICE that a hearing was held in the above-captioned chapter 11 cases on December 12, 2017 (the “Hearing”), at which time the official committee of unsecured creditors (the “Committee”) to the above-captioned debtors (the “Debtors”) made an oral motion (the “Motion”) to the Court, and the Court granted the Motion, ordering that certain parties in interest mediate certain matters as described on the record at the Hearing by no later than December 19, 2017 (the “Mediation”).

PLEASE TAKE FURTHER NOTICE that, following the Hearing, the Debtors and the Committee contacted several retired and active bankruptcy judges as well as experienced bankruptcy attorneys to conduct the Mediation.

PLEASE TAKE FURTHER NOTICE that on December 13, 2017, counsel to the Committee informed parties in interest of the availability (or lack thereof) of a list of five potential mediators that had been contacted by the Committee and/or the Debtors. The Committee had previously indicated a desire to utilize the services of Mr. Tom Kirkendall, Esq., which decision is supported by the Debtors, as well as by respective counsel to Aqueous Corporation and Oceaneering International, Inc.

PLEASE TAKE FURTHER NOTICE that counsel to Alliance Energy Services, LLC (“Alliance”) opposes Mr. Kirkendall serving as a mediator due to Alliance’s belief that Mr. Kirkendall may not have sufficient “chapter 11 and mediation experience.” Respective counsel to Odyssey Marine, Inc. and Bollinger Shipyards raised concerns about the prospect of paying for the services of a mediator, but have not outright opposed Mr. Kirkendall serving as mediator. However, to date, no other party has confirmed the availability of an active bankruptcy judge to serve as mediator on or prior to the December 19, 2017 deadline, despite several requests from the Committee and the Debtors.

PLEASE TAKE FURTHER NOTICE that the Debtors and the Committee respectfully request that the Court enter the proposed order attached hereto as **Exhibit A** appointing Mr. Kirkendall as mediator for the Mediation, over the objection of Alliance.

¹ The debtors in these chapter 11 cases (collectively, the “Debtors”), together with the last four (4) digits of each Debtor’s federal tax identification number, are Montco Offshore, Inc. (1448) and Montco Oilfield Contractors, LLC (9886). The mailing address for the Debtors, solely for the purposes of notices and communications, is 17751 Hwy 3235, Galliano, Louisiana 70354.

Dated: December 14, 2017
Dallas, Texas

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